



## COMMONWEALTH OF MASSACHUSETTS DEPARTMENT OF TELECOMMUNICATIONS AND CABLE

D.T.C. 03-50

September 2, 2016

Petitions of Verizon New England Inc. to Waive Certain Service Quality Results Measured Under the Performance Assurance Plan for April, May, and June 2016

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### PROCEDURAL NOTICE

The Department of Telecommunications and Cable (“Department”) hereby establishes a procedural schedule involving three bill credit waiver requests submitted by Verizon New England Inc., d/b/a Verizon Massachusetts (“Verizon”) under the company’s Performance Assurance Plan (“PAP”).<sup>1</sup>

On June 15, July 15, and August 12, 2016, Verizon requested that the Department waive the bill credits that would otherwise be due to CLECs under Verizon’s PAP for the reporting periods of April, May, and June 2016, respectively.<sup>2</sup> Petitions at 1-2. The PAP permits Verizon to seek such waivers if events beyond its control, including work stoppages, affect the performance metrics that, if not met, would otherwise result in bill credits. PAP at 38-40, Appendix C. Verizon indicates that a 50-day work stoppage by a segment of its workforce impacted its ability to meet certain performance metrics under the PAP for the April, May, and June reporting periods. Petitions at 1.

Verizon submitted separate waiver petitions to the Department in accordance with the timeline established in the PAP for such petitions. PAP at 40, Appendix C; PAP at 69, Appendix F. Verizon also emailed a copy of each petition to the parties listed in the above-referenced docket, as well as to any CLECs for whom Verizon’s records reflect a financial interest in the PAP results for that reporting period. Petition Cover Letters. Under the PAP timeline, affected CLECs and other interested parties have 10 days to serve and file replies to a Verizon waiver petition. Petition Cover Letters; PAP at 40, Appendix C; PAP at 69, Appendix F. However, while the PAP provides a timeline for waiver petition filings, it does not specify how Verizon must notify affected CLECs of those filings or to which CLECs the filings must be served. PAP at 40, Appendix C; PAP at 69, Appendix F. The Department is concerned that the service list utilized by Verizon may be outdated, incorrect, or may inadvertently omit a CLEC otherwise due a bill credit. In addition, the PAP does not account for exceptional circumstances where an ongoing event beyond Verizon’s control may impact multiple reporting periods and may require multiple actions by the Department.

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<sup>1</sup> See Verizon Performance Assurance Plan for Massachusetts, Version 4.0, For Implementation July 2007, D.T.E. 03-50.

<sup>2</sup> See *Petition of Verizon New England Inc. to Waive Certain Service Quality Results Measured Under the Performance Assurance Plan for April 2016* (Jun. 15, 2016); *Petition of Verizon New England Inc. to Waive Bill Credits Under the Performance Assurance Plan for May 2016* (Jul. 15, 2016); *Petition of Verizon New England Inc. to Waive Bill Credits Under the Performance Assurance Plan for June 2016* (Aug. 12, 2016) (collectively “Petitions”).

As a result, to ensure that any CLECs who were not previously notified have had an opportunity to respond, the Department will permit replies to the Petitions to be filed to the attached Service List no later than ***September 12, 2016***. This date reflects the 10 days afforded to CLECs and interested parties under the PAP. Replies should be filed with all parties listed on the attached Service List.<sup>3</sup> In accordance with the timeline established in the PAP, the Department will issue a ruling on the Verizon petitions no later than ***September 27, 2016***, 15 days after the reply date. PAP at 69, Appendix F.

To the extent that any CLEC would like to be removed from the attached Service List or would like to update its contacts for purposes of this docket, please notify the Department by ***September 21, 2016***, and the Department will revise the Service List accordingly.

By:



Kerri DeYoung Phillips  
Hearing Officer

cc: Sara J. Clark, Secretary  
Attached Service List

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<sup>3</sup> In an overabundance of caution and due to potential confidentiality concerns of affected CLECs, the attached Service List includes all CLECs currently registered with the Department. If a CLEC is uncertain about whether it would qualify for a bill credit under the reporting periods at issue, it may obtain a copy of its individual reports upon request to Verizon. See PAP at 5-6; see also <http://www22.verizon.com/wholesale/clecsupport/content/performanceassuranceplans.html> (last viewed Sept. 1, 2016).